

## **REMARKS**

Applicant has filed the present Response in reply to the outstanding Final Official Action of March 27, 2006, and Applicant believes the Response to be fully responsive to the Official Action for the reasons set forth below in greater detail.

At the onset, Applicant would like to thank the Examiner for indicating that Claims 1-10 are allowed and that Claims 12-22 and 27 have allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claims 12 and 24 have been amended. Claim 12 has been rewritten in independent form including all of the limitations of Claim 11. Claim 24 has been amended to include all of the limitations of Claim 27.

Additionally, Applicant would like to thank the Examiner for taking the time to speak with Applicant's representative in a telephone interview. During the interview, Applicant's representative discussed Claims 11 and 23-26. The Examiner agreed with Applicant's representative that Braudaway et al., United States Patent No. 5,825,892 (hereinafter "Braudaway") does not teach all of the limitations of Claim 23. Specifically, Braudaway does not teach all of the features of the claimed selection circuit. Accordingly, Claim 11 has been amended to include the limitations of Claim 23. Applicant further submits new Claim 28. Claim 28 is the corresponding method claim.


Applicant also notes that Claim 21 has been amended to modify the dependency. Claims 23 and 25-27 have been cancelled herewith. No new matter has been added by the aforementioned amendments. For example, support therefor can be found at pages 6-9. Applicant submits that Claim 28 is patentable based upon the reasons identified during the

telephonic interview of June 26, 2006, e.g., does not teach the claimed comparison for the selecting step.

For all the foregoing reasons, the Applicant respectfully requests the Examiner to withdraw the rejections of Claims 11 and 23-26 pursuant to 35 U.S.C. § 102 (b). Applicant submits that amended Claims 11, 12, 24 and new Claim 28 are patentable.

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

  
Seth Weinfeld  
Registration No. 50,929

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza-Suite 300  
Garden City, New York 11530  
(516) 742-4343

SW:dg:ae